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Applicant(s): Anderson et al.

Docket No.

BUR920030098US1

Application No.

10/605,905

Filing Date

11/5/2003

Examiner

Nadav, Ori

Group Art Unit

2811

Invention: **METHOD OF FABRICATING A FINFET**

I hereby certify that this

Restriction Election (2 pages)

(Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306)

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(Signature)

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Docket No. BUR920030098US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Anderson *et al.*

Group Art Unit: 2811

Filed: 11/5/2003

Examiner: Nadav, Ori

Serial No.: 10/605,905

Title: METHOD OF FABRICATING A FINFET

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

RESTRICTION ELECTION

In response to the Restriction Requirement dated February 1, 2005, Applicants hereby provisionally elect Group II, claims 1-21, drawn to a process of making a semiconductor device, Class 438, subclass 22. This election is made with traverse, and Applicants hereby reserve the right to file a divisional application in connection with unelected claims 22-28, drawn to a semiconductor device.

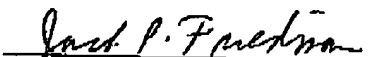
With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-28 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated

10/605,905

that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits." Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Should the Examiner require or request anything further from Applicants prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below. Otherwise, Applicants request early and favorable examination on the merits.

Date: 2/10/2005


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10/605,905